Non-Crime Hate Incidents and Free Speech
On the legitimacy of recording non-crime hate incidents

Northumbria University NEWCASTLE

Call for Papers

One of the most interesting developments in policing during recent years has been the recording of so-called "non-crime hate incidents" (NCHIs) pursuant to the Hate Crime Operational Guidance issued by the College of Policing. This involves the practice of recording alleged incidents which even according to the police should not be regarded as instances of any criminal offence, while at the same time adopting the "victim's" (sic) perception-based understanding of the "suspect's" (sic) "hateful" (sic) conduct. As such, it raises many important issues. Among them are what the limitations of policing are in the United Kingdom, how citizens' human and procedural rights are best protected in the digital age, and where the line of demarcation lies between criminal law's purview and non-criminal behaviour, which in theory should not be of interest to the executive branch.

In this two-days conference, participants from academia, UK Police Forces, politics and the media will examine the issue of *NCHI*s by illuminating their normative, legal, political and philosophical aspects. The recent case of *Miller v. College of Policing* [2020] EWHC 225 (Admin) will be our focal point. An indicative list of the topics we would like to discuss is the following:

- the political and legal character of non-crime hate incidents

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- political neutrality in policing
- the purview and binding character of the Hate Crime Operational Guidance (as amended)
- the meaning of 'hateful conduct' and 'hate' more generally
- the adoption from police forces of the complainant's private understanding of 'hate'
- the various implications of recording non-crime hate incidents
- the demarcation between criminal law and public law
- the demarcation between (criminal) law and a law-free zone
- free speech
- human rights, especially Art 10 and Art 6 ECHR
- the use of NCHIs in new methods of data analytics and risk assessments

The workshop will take place on **5-6 May 2022** in London (Northumbria University - London Campus) under the auspices of the Centre for Evidence & Criminal Justice Studies, which is a Signature Research Area in the School of Law at Northumbria University, and will be supported by Northumbria Law School's Research Interest Group on International Law and Human Rights. At least a part of the expenses for participants will be covered by the organisers, with details to follow.

If you would like to participate in this workshop as a speaker or commentator, please send a summary of your paper (max. 500 words) and a short CV (max 100 words) to the following email address: kyriakos.kotsoglou@northumbria.ac.uk. The deadline for online submissions will be the 1st of March 2022. Successful applicants will be notified by 15th March.